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Notice of Allowability	Application No.	Applicant(s)	
	10/626,753	KNIGHT, COLIN	
	Examiner	Art Unit	
	Mark T. Henderson	3722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. ☒ This communication is responsive to 2/24/06.
 - 2. ☒ The allowed claim(s) is/are 24 and 31-40.
 - 3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- 6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Martin Faier on February 28, 2006.

The application has been amended as follows:

CLAIMS:

In Claim 38, line 4, please insert --spine-- after "arranged transverse to said",
please delete "spin".

Line 6, please delete "and adapted" after "substantially transverse to said
spine".

Line 17, please delete "the plane of said ring elements" after "face to face
extending beyond", and insert --a plane of said elements--.

Line 20, please delete "adapted to be" after "circumference of said ring
are".

In Claim 39, line 5, please delete “adapted” after “longitudinal edge of said spine”.

Line 24, please delete “the length” after “more than half”; please insert --a
length--.

Line 26, please delete “adapted to be” after “said ring elements are”.

Line 28, please delete “may be” after “said male and female ring
elements”; please insert --are--.

In Claim 40, line 6, please delete “and adapted” after “transverse to said spine”.

Line 17, please delete “the plane” after “extending beyond”; please insert
--a plane--.

Line 19, please delete “adapted to be” after “circumference of said ring
and”.

Allowable Subject Matter

Claims 24, and 31-40 are allowed.

The following is an examiner’s statement of reasons for allowance: No prior art of record discloses or fairly suggest a unitary injection molded polymeric spine binder comprising: a spine consisting of a longitudinally extending strip; a series of spaced hinge members having

extending portions arranged transverse to the spine; a ring arranged transverse to the spine which defines an elongated dorsal hinge comprising a first and second hinge brace connected to the spine; , wherein the hinge braces are arranged face-to-face extending beyond the plane of the ring elements; and a plurality of complementary male and female ring elements; and including all of the other limitations of the independent claims.

Baumann is the closest reference similar to applicant's invention. However, Baumann does not disclose wherein the hinge braces are arranged face-to-face extending beyond a plane of the ring elements.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

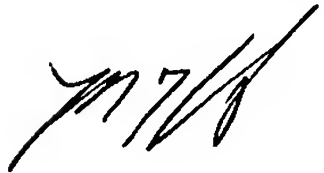
Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sakata et al discloses a similar binder.

Art Unit: 3722

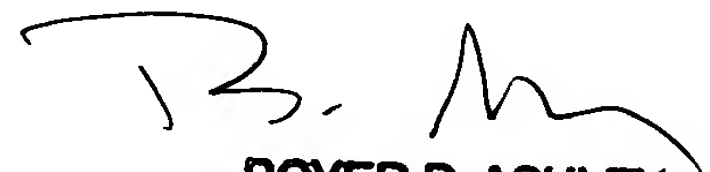
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark T. Henderson whose telephone number is (571) 272-4477, and informal fax number is (571) 273-4477. The examiner can be reached on Monday-Friday from 9:00AM to 3:45PM. If attempts to reach the examiner by telephone are unsuccessful, the Examiner Supervisor, Boyer Ashley, can be reached at (571) 272-4502. The formal fax number for TC 3700 is (571) 273-8300.



MTH

February 28, 2006



**BOYER D. ASHLEY
SUPERVISORY PATENT EXAMINER**